

From: Mark Schlachet markschlachet@me.com
Subject: Re: Pasik v. Boon Technologies
Date: December 16, 2019 at 10:14 AM
To: David Kwasniewski Kwasniewski@braunhagey.com
Cc: Matthew Borden borden@braunhagey.com



Counsel:

I am providing a link to the Jewish calendar: <https://cdn.fedweb.org/fed-66/2/Jewish%2520Calendar1.pdf>

In addition to Friday at sundown through nighttime on Saturday, the days on the linked site are not appropriate times to schedule events requiring real-time participation by Mr. Pasik or his counsel. Please note that Hanukah is on December 30th, the day you sought to schedule an out-of-town a.m. deposition, requiring two festival days away from home and family. I will be similarly sensitive to any holidays customarily observed by those of Christian or other applicable persuasion. And prior to scheduling your client's deposition I will confer with you, a courtesy I thought was fairly universal.

As for Mr. Pasik's deposition, I am going to suggest January 13th-15th in New York, at your election. Please advise which of these dates is acceptable.

On a number of occasions—in fact, virtually every occasion where I have requested your participation—you have been unresponsive or claimed to be tied up in trial or traveling at the time of my selection. In this instance, therefore, should January 13th-15th be inconvenient, I want clear documentary support that both Matt and David cannot take the deposition on any of those days, e.g. a court order for a court appearance or verifiable statement in writing as to the precise cause of other unavailability. Absent such evidence of unavailability I will conclude that any claim of unavailability is not properly authenticated. If you do provide authenticated unavailability, please provide alternative dates in January for Mr. Pasik's deposition. I am going to speak to him once I hear from you per the foregoing.

Thank you.